

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Glenn L. Beane

v.

Civil No. 08-cv-00236-JL

Alan F. Beane

O R D E R

The defendant's motion to amend answer to amended complaint (document no. 31) is granted. No deadline to amend pleadings has yet been established due to the filing of dispositive motions. The objection does not allege prejudice, futility (no claim of res judicata or collateral estoppel is asserted), lack of diligence, or fraud. The court finds no undue delay, bad faith, dilatory motive, inexcusable repetitious failure to cure deficiencies in previous amendments, undue prejudice, futility, fraud, or frivolity. See Fed. R. Civ. P. 15; Foman V. Davis, 371 U.S 178, 182 (1962); In re Rauh, 119 F. 3d 46,52 (1st. Cir. 1997); Executive Leasing Corp. v. Banco Popular, 48 F. 3d 66,71 (1st. Cir. 1995).

Further, counsel shall confer with each other and the Deputy Clerk to schedule the Preliminary Pretrial Conference. The conference will be scheduled on a date that will allow counsel to fully comply with FRCP 26(f) and Local Rule 26.1.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: March 19, 2009

cc: W. E. Whittington, Esq.
William S. Gannon, Esq.